

Remark

Applicants respectfully request reconsideration of this application as amended. No Claims have been amended. No Claims have been cancelled. Therefore, claims 1-20 are present for examination.

Double Patenting

The Examiner has rejected claims 1-20 under 35 U.S.C. 101, the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-31 of U.S. Patent No. 6,295,646. A terminal disclaimer is enclosed herewith.

35 U.S.C. §102 Rejections

Matthews

The Examiner has rejected claims 1-7 and 9-20 under 35 U.S.C. §102 (e) as being anticipated by Matthews III, U.S. Patent No. 5,815,145 ("Matthews"). Matthews in Figure 4 shows various tiles 102, each having a video segment 104 and a channel identification segment 106. The channel identification segment preferably includes a channel number, a channel logo or icon, and a name corresponding to the programming or programming provider (4:59). If one of the tiles is focused upon, then it is rendered offset with a border (5:9) and the picture goes from a still to a video. The viewer may initiate or activate selections by depressing an action key 91 (4:40). However, applicants are unable to find any description of how the action key might relate to Figure 4, nor of what would happen if the user selected a tile after it has been "focused upon."

Claim 1 of the present invention, for example, recites," displaying entertainment system data regarding the entertainment selection corresponding to the respective window upon selection

by a user of the respective window." In Matthews, it is not clear what would happen "upon selection by a user." If the Examiner were to read "upon selection by a user" on the "focused upon" activity of Matthews, this would still not meet the claim, because as shown in Figure 4, the channel identification segment is displayed for all of the tiles, i.e. nothing about entertainment system data occurs as a result of focusing upon a tile.

The distinction is brought out even more clearly in some of the other claims. Claims 2 and 3, for example, refers to "selection of the respective window comprises selection of the respective first [or second] areas of the respective windows." There is no indication in Matthews that a particular area of a window is to be selected.

Claim 5 refers to displaying certain kinds of data in response to the user selection. While Matthews Table 1 suggests that some of this information may be available, it appears to relate only to the "focus on" action, not to a selection of the "focused on" tile.

Claim 10 refers to a preferred trait and identifying selections based on this trait. The cited section of Matthews refers only to a personalized programming list. Applicants find no mention of a trait nor of an identification process.

The remaining claims contain limitations similar to those discussed above, and are believed to be allowable on the grounds discussed above, among others.

35 U.S.C. §103 Rejection

Matthews in view of Broadwin

The Examiner has rejected claim 8 under 35 U.S.C. §103 (a) as being unpatentable over Matthews in view of Broadwin U.S. Patent No. 5,903,816 ("Broadwin"). Broadwin is not cited for and neither teaches nor suggests the features discussed above which are absent from Matthews.

Conclusion

Applicants respectfully submit that the rejections have been overcome by the amendment and remark, and that the claims as amended are now in condition for allowance. Accordingly, Applicants respectfully request the rejections be withdrawn and the claims as amended be allowed.

Invitation for a Telephone Interview

The Examiner is requested to call the undersigned at (303) 740-1980 if there remains any issue with allowance of the case.

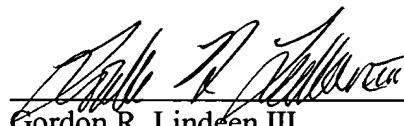
Request for an Extension of Time

Applicants respectfully petition for an extension of time to respond to the outstanding Office Action pursuant to 37 C.F.R. § 1.136(a) should one be necessary. Please charge our Deposit Account No. 02-2666 to cover the necessary fee under 37 C.F.R. § 1.17(a) for such an extension. Charge our Deposit Account.

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,
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